

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

SHINSHO AMERICAN CORPORATION

Plaintiff,

vs.

HYQUALITY ALLOYS, LLC

Defendant.

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CIVIL ACTION NO. 4:20-cv-00577

JURY DEMAND

DECLARATION OF YASUNORI ITOH

I, Yasunori Itoh, declare as follows:

1. My name is Yasunori Itoh. My date of birth is May 13, 1983. My address is Shinsho American Corporation, 26200 Town Center Drive, Suite 220, Novi, MI 48375. I am the Sales Manager of Shinsho American Corporation ("Shinsho"). In that capacity, I have been personally and directly involved in Shinsho's relationship with HYQuality Alloys, LLC ("HQA") as relates to the facility on Tamina Road in Magnolia, Texas (the "HQA Facility"). Based on that personal involvement, I have personal knowledge of all statements of fact in this Declaration, and, to the best of my knowledge, all such statements are true and correct.

2. I am aware that the Court has entered an Agreed Protective Order (the "PI Order") that established a process by which HQA is permitted to sell certain steel bars governed by the PI Order. For at least the past six months, I have been Shinsho's primary contact with HQA in connection with any such transactions. My primary contact at HQA has been Angela Graziano.

3. From January 13, 2021 to the date of this declaration, there have been at least 22 shipments from HQA's facility that contained, or potentially contained, steel bars that I understand are governed by the PI Order. Those shipments were documented in photographs taken by an investigator that Shinsho hired to monitor shipments to and from the HQA facility. I also prepared a chart to document these shipments, which is attached as Exhibit A to the motion being filed with this declaration.

4. In most, if not every instance, Shinsho was not provided with advance notice or the paperwork associated with any of these shipments before they took place. Instead, after I became aware of each shipment from the investigator hired by Shinsho, I would have to contact Ms. Graziano to request information and payment after the fact.

5. For example, on January 15 and January 21, I became aware of multiple shipments of steel bars that appeared to be governed by the PI Order. On January 21, 2021, I emailed Ms. Graziano regarding both of these shipments. On February 1, 2021, Ms. Graziano responded by

Exhibit

B

exhibitsicker.com

email to indicate that both shipments contained bars governed by the PI Order, and thereafter provided shipping information. Despite repeated requests, however, HQA did not pay for the bars or otherwise respond to requests for payments. My last such request was on March 12, 2021. Copies of the email exchanges related to these shipments are attached as Exhibit 1 to this Declaration.

6. Similarly, on February 2, February 3, February 5, March 1, March 5, March 8, March 10, March 11 and March 12, steel bars have been shipped from HQA's facility without any prior notice to Shinsho. Many, if not all, of these bars appear to bars governed by the PI Order. On the day of each such shipment except February 2, February 3 and February 5, I immediately emailed Ms. Graziano for information about each shipment. To date, HQA has not responded to my requests.

7. Today, on March 16, 2021, HQA made an additional shipment that also appears to be bars governed by the PI Order. In this instance, HQA also covered up or removed identifying information that could be used to identify the bar. Shinsho has not been provided with any paperwork or payments associated with this shipment.

I declare under penalty of perjury of the laws of the United States that the foregoing is true and correct.

Dated: March 16, 2021.

A handwritten signature in black ink, appearing to read 'Yasunori Itoh', written over a horizontal line.

Yasunori Itoh

EXHIBIT 1

**DECLARATION OF
YASUNORI ITO**

From: Angela Graziano <agraziano@jwfgrp.com>
Sent: Monday, February 1, 2021 11:56 AM
To: Yasunori Ito
Subject: RE: Request to check
Attachments: CCE01212021.pdf; CCE01152021_0001.pdf; HQA PO Req HQA-5360.xlsx; HQA PO Req HQA-5356.xlsx

See attached for below responses

1. Shipment on 1/15

- 1 bar on 1/15 shows HQA ID and it could be ours. If so, we need PO/shipping documents/payment as soon as possible.
 - a) Researched show actually 1 bars shipped. Tag# 444644 Mill Tag 9689/1 4,277 lbs
We show this material was paid for on HQA PO 732381 via ACH on 10/17/2018 – Shinsho Invoice HQAA74-C - \$169,089.63 of Check Total ACH was \$178,708.34
Can you check on your end ? Sorry
 - b) Bar # 561255 is your stock and will send details
 - c) Other 2 bars on truck show ours.

2. Shipment on 1/21

- We confirmed 1 shipment from your yard on 1/21, can you confirm this bar is ours or yours? If it's ours, I believe I haven't receive anything yet so please give me PO, payment and shipping documents within today.
- a) This was your shipment and will send details. Sorry, our fault. I was not able to review for shipping to make sure in advance.

Regards,

Angela Graziano
JWF Group, Inc.
agraziano@jwfgrp.com
Direct: 630-376-6605
Mobile: 630-589-9391 (preferred contact)

JWF GROUP, INC. CONFIDENTIALITY NOTICE --This email is intended only for the person(s) named in the message header. Unless otherwise indicated, it contains information that is confidential, privileged and/or exempt from disclosure under applicable law. Any details of this email shall not be shared or in any other form of communication i.e. verbal. If you have received this message in error, please notify the sender of the error and delete the message. Thank you.

From: Angela Graziano
Sent: Thursday, January 28, 2021 12:08 PM
To: Yasunori Ito <yito@shinsho.com>
Subject: RE: Request to check

Hello -

Sorry for the delay, not having such a great past couple of weeks due to the personal matter I previously mentioned.

1. Shipment on 1/15

1 bar on 1/15 shows HQA ID and it could be ours. If so, we need PO/shipping documents/payment as soon as possible.

a) Researched show actually 1 bars shipped. Tag# 444644 Mill Tag 9689/1 4,277 lbs

We show this material was paid for on HQA PO 732381 via ACH on 10/17/2018 – Shinsho Invoice HQAA74-C - \$169,089.63 of Check Total ACH was \$178,708.34

Can you check on your end ? Sorry

b) Bar # 561255 is your stock and will send details

c) Other 2 bars on truck show ours.

2. Shipment on 1/21

We confirmed 1 shipment from your yard on 1/21, can you confirm this bar is ours or yours? If it's ours, I believe I haven't receive anything yet so please give me PO, payment and shipping documents within today.

a) This was your shipment and will send details. Sorry, our fault. I was not able to review for shipping to make sure in advance.

3. Shipment on 1/25

We confirmed 1 shipment from your yard on 1/25, can you confirm this bar is ours or yours? If it's ours, I believe I haven't receive anything yet so please give me PO, payment and shipping documents within today.

a) This was our shipment

4. Shipment on 1/27

We confirmed 1 shipment from your yard on 1/27, can you confirm this bar is ours or yours? If it's ours, I believe I haven't receive anything yet so please give me PO, payment and shipping documents within today.

a) This was our shipment

5. Just an FYI – Had shipments go out today and this was our shipment.

Regards,

Angela Graziano

JWF Group, Inc.

agraziano@jwfgrp.com

Direct: 630-376-6605

Mobile: 630-589-9391 (preferred contact)

JWF GROUP, INC. CONFIDENTIALITY NOTICE --This email is intended only for the person(s) named in the message header. Unless otherwise indicated, it contains information that is confidential, privileged and/or exempt from disclosure under applicable law. Any details of this email shall not be shared or in any other form of communication i.e. verbal. If you have received this message in error, please notify the sender of the error and delete the message. Thank you.

From: Yasunori Ito <yito@shinsho.com>
Sent: Thursday, January 28, 2021 10:35 AM
To: Angela Graziano <agraziano@jwfggrp.com>
Subject: RE: Request to check

EXTERNAL SENDER: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Angela,

We also confirmed one shipment yesterday from your yard. Can you also check it?

1. Shipment on 1/15

1 bar on 1/15 shows HQA ID and it could be ours. If so, we need PO/shipping documents/payment as soon as possible.

2. Shipment on 1/21

We confirmed 1 shipment from your yard on 1/21, can you confirm this bar is ours or yours? If it's ours, I believe I haven't receive anything yet so please give me PO, payment and shipping documents within today.

3. Shipment on 1/25

We confirmed 1 shipment from your yard on 1/25, can you confirm this bar is ours or yours? If it's ours, I believe I haven't receive anything yet so please give me PO, payment and shipping documents within today.

4. Shipment on 1/27

We confirmed 1 shipment from your yard on 1/27, can you confirm this bar is ours or yours? If it's ours, I believe I haven't receive anything yet so please give me PO, payment and shipping documents within today.

With best regards.

Yasunori Itoh
SHINSHO AMERICAN CORPORATION

From: Yasunori Ito
Sent: Tuesday, January 26, 2021 9:39 AM
To: Angela Graziano <agraziano@jwfggrp.com>
Subject: RE: Request to check

Good morning Angela, I hope you are fine.

About the shipment from you so far, could you kindly check them below within today (asap)?

1. Shipment on 1/15

1 bar on 1/15 shows HQA ID and it could be ours. If so, we need PO/shipping documents/payment as soon as possible.

2. Shipment on 1/21

We confirmed 1 shipment from your yard on 1/21, can you confirm this bar is ours or yours? If it's ours, I believe I haven't receive anything yet so please give me PO, payment and shipping documents within today.

3. Shipment on 1/25

We confirmed 1 shipment from your yard on 1/25, can you confirm this bar is ours or yours? If it's ours, I believe I haven't receive anything yet so please give me PO, payment and shipping documents within today.

With best regards.

Yasunori Itoh
SHINSHO AMERICAN CORPORATION

From: Yasunori Ito
Sent: Friday, January 22, 2021 9:29 PM
To: Angela Graziano <agraziano@jwfgrp.com>
Subject: RE: Request to check

Angela,

I don't know what is happening to you now, but please kindly take care.

Ok, please check 1 bar on 1/15 and 1/21 shipment on next week as soon as you be back.

As you know, 1 bar on 1/15 shows HQA ID and it could be ours. If so, we need PO/shipping documents/payment as soon as possible.

Thank you very much.

With best regards.

Yasunori Itoh
SHINSHO AMERICAN CORPORATION

From: Angela Graziano <agraziano@jwfgrp.com>
Sent: Friday, January 22, 2021 12:30 PM
To: Yasunori Ito <yito@shinsho.com>
Subject: RE: Request to check

Hello ,

Sorry, I am still out with a very serious personal family matter until now Monday.

- 1) 1/15/21 –checked with plant & was from our stock – I am checking 1 tag later when I get back to my laptop – just to double check
- 2) 1/20/21 – checked with plant & was from our stock

Regards,

Angela Graziano
JWF Group, Inc.
agraziano@jwfgrp.com

Direct: 630-376-6605
Mobile: 630-589-9391 (preferred contact)

JWF GROUP, INC. CONFIDENTIALITY NOTICE --This email is intended only for the person(s) named in the message header. Unless otherwise indicated, it contains information that is confidential, privileged and/or exempt from disclosure under applicable law. Any details of this email shall not be shared or in any other form of communication i.e. verbal. If you have received this message in error, please notify the sender of the error and delete the message. Thank you.

From: Yasunori Ito <yito@shinsho.com>
Sent: Thursday, January 21, 2021 7:30 AM
To: Angela Graziano <agraziano@jwfgrp.com>
Subject: Re: Request to check

EXTERNAL SENDER: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Angela,

We confirmed 1 shipment from your yard this morning too, so please also check the shipment.

With best regards.

Yasunori Itoh
SHINSHO AMERICAN CORPORATION

From: Yasunori Ito
Sent: Thursday, January 21, 2021 9:38 AM
To: Angela Graziano <agraziano@jwfgrp.com>
Subject: Request to check

Good morning Angela,

As we talked before, I have some requests that we need to check so can you confirm them?

1. Shipment on 1/15

We confirmed 2 shipments from your yard on 1/15, can you confirm these bars are mine or yours? If they are mine, I believe I haven't receive anything yet so please give me PO, payment and shipping documents within today.

2. Shipment on 1/20

We confirmed 1 shipment from your yard on 1/20, can you confirm this bar is ours or yours? If it's ours, I believe I haven't receive anything yet so please give me PO, payment and shipping documents within today.

With best regards.

Yasunori Itoh
SHINSHO AMERICAN CORPORATION

26200 Town Center Drive,
Suite 220 Novi, MI 48375 USA

Cell: (+1) 248-907-3019
E-mail: yito@shinsho.com

HQA Purchase Requisition

Name: HyQuality Alloys
 Address: 32703 Tamina Road
 City, State: Magnolia, TX
 Zip Code: 77354

Date: 1/21/2021
 Vendor: Shinsho
 HQA Requisition #: HQA-5360
 HQA Requestor: Angela Graziano
 Date Required: 1/21/2021

Payment Terms: NET: Wire/CIA

HQA Tag#	Mill Tag No.	Product Description	Length	Lot#	Mill	PO	lbs	Material Price/lb	Ext
443883	1972044-01	14.500RHR4140QT		635549	Sidenor		10,542	\$ 0.78	\$ 8,222.76
443902	1972045-01	14.500RHR4140QT		635549	Sidenor		10,970	\$ 0.78	\$ 8,556.60

									\$ 16,779.36
								New 85% Due	\$ 14,262.46
Authorized:									
Approved:									
S.O. #:	HQA-5360 (Five Star Metals)								
W.O. #:									

Form CCA-F000-08.23.11

Rev: 0

Date:

8/23/2019

Approved By:

Angela Graziano

HQA Purchase Requisition

Name:	HyQuality Alloys	Date:	1/15/2021
Address:	32703 Tamina Road	Vendor:	Shinsho
City, State	Magnolia, TX	HQA Requisition #:	HQA-5360
Zip Code:	77354	HQA Requestor:	Angela Graziano
		Date Required:	1/15/2021
		Payment Terms:	NET: Wire/CIA

HQA Tag#	Mill Tag No.	Product Description	Length	Lot#	Mill	PO	lbs	Material Price/lb	Ext
443883		14.500RHR4140QT		635549	Sidenor		10,542	\$ 0.78	\$ 8,222.76
443902		14.500RHR4140QT		635549	Sidenor		10,970	\$ 0.78	\$ 8,556.60

									\$ 16,779.36
								New 85% Due	\$ 14,262.46
Authorized:									
Approved:									
S.O. #:									
W.O. #:									

Form CCA-F000-08.23.11 Rev: 0 Date: 8/23/2019 Approved By: Angela Graziano

HQA Purchase Requisition

Name: HyQuality Alloys

Date: 1/21/2021

Address: 32703 Tamina Road

Vendor:

City, State Magnolia, TX

HQ#A Requisition #:

HQ-A-5356

Zip Code:

Angela Graziano

HQA Requestor:

1/21/2021

Date Required:

Payment Terms:

Wire/CIA

[illegible]

						New 85% Due	\$ 10,074.20
Authorized:			Date:	1/21/2021			
Approved:			Date:				
S.O. #:	HQA-5356 (Alliance Allous		Date:				
W.O. #:							



HYQUALITY
— ALLOYS —

32703 Tamina Road
Magnolia, TX 77354
P:346-703-2021
F:281-789-4413

BILL OF LADING

SHIPPERS NO: **4933**

MASTER NO:

SEQ: **0**

CARRIER	CAR/TRAILER NBR	FREIGHT PAYMENT	DATE SHIPPED
CPU		Collect	
SHIP TO (080152-001)		SHIP FROM	
Alliance Alloys of Houma, LLC 855 A Blimp Rd. Houma, LA 70363		HyQuality Alloys 32703 Tamina Road Magnolia, TX 77354	
#CTNS CONTAINER	ITEM DESCRIPTION	GROSS WGT	UM
1	17.000" RHR Forged Rough	14815.	Lbs
1	9.000" RHR Forged Rough	4277.	Lbs
-----		-----	
2	- T O T A L S -	19092.	Lbs .
Original Mill Certs With Shipment			
CUSTOMER P.O. NUMBERS 101168			
FREIGHT BILL TO Alliance Alloys of Houma, LLC 855 A Blimp Rd. Houma, LA 70363			
<p>RECEIVED, subject to the classifications and tariffs in effect on the date of the issue of this Bill of Lading, the property described below, in apparent good order, except as noted (contents and condition of contents of packages unknown) marked, consigned, and destined as indicated below which said carrier (the word carrier being understood throughout this contract as meaning any person or corporation in possession of the property under the contract) agrees to carry to its usual place of delivery at said destination, if on its route, otherwise to deliver to another carrier on the route to said destination. It is mutually agreed, as to each carrier of all or any of said property over all or any portion of said route to destination, and as to each party at any time interested in all or any of said property, that every service to be performed hereunder shall be subject to all the terms and conditions of the Uniform Domestic Straight Bill of Lading set forth (1) in Uniform Freight Classification in effect on the date hereof, if this is a rail or a rail-water shipment, or (2) in the applicable motor carrier classification or tariff if this is a motor carrier shipment. Shipper hereby certifies that he is familiar with all the terms and conditions of the said bill of lading, including those on the back thereof, set forth in the classification or tariff which governs the transportation of this shipment, and the said terms and conditions are hereby agreed to by the shipper and accepted for himself and his assigns. (Mail or street address of consignee - For purposes of notification only.)</p> <p>"THIS IS TO CERTIFY THAT THE MATERIALS HEREIN NAMED ARE PROPERLY CLASSIFIED, DESCRIBED, PACKAGED AND LABELED AND ARE IN PROPER CONDITION FOR TRANSPORTATION ACCORDING TO THE APPLICABLE REGULATIONS OF THE DEPARTMENT OF TRANSPORTATION."</p> <p>SIGNATURE</p> <p>Mark "X" or "RC" if appropriate to designate hazardous materials as defined in the Department of Transport Regulations governing the transportation of hazardous materials. The use of this column is an optional method for identifying hazardous materials on bills of lading per Section 172.201(e)(1)(ii) of Title 49 Code of Federal Regulations. Also, when shipping hazardous materials the shipper's certification statement prescribed in Section 172.204(e) of the Federal Regulations must be indicated on the bill of lading, unless specific exemption from this requirement is provided in the Regulations for a particular material.</p> <p>"SUBJECT TO SECTION 7 OF THE CONDITIONS OF APPLICABLE BILL OF LADING, IF THIS SHIPMENT IS TO BE DELIVERED TO THE CONSIGNEE WITHOUT RECOURSE TO THE CONSIGNOR, THE CONSIGNOR SHALL SIGN THE FOLLOWING STATEMENT.</p> <p>THE CARRIER SHALL NOT MAKE DELIVERY OF THIS SHIPMENT WITHOUT PAYMENT OF FREIGHT AND ALL OTHER LAWFUL CHARGES</p> <p>HYQUALITY ALLOYS LLC SIGNATURE OF CONSIGNOR</p> <p>MATERIAL ON THIS BILL OF LADING IS NOT TO BE RETURNED WITHOUT PRIOR AUTHORIZATION OF SHIPPER</p> <p>SPECIAL SHIPPING INSTRUCTIONS</p>			



HYQUALITY
— ALLOYS —

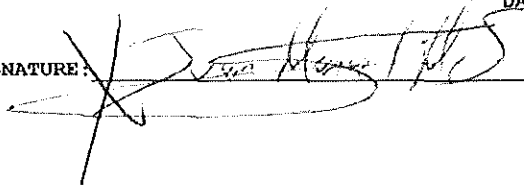
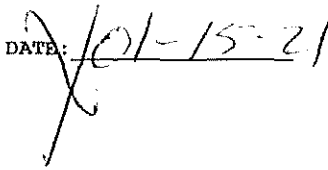
32703 Tamina Road
Magnolia, TX 77354
P:346-703-2021
F:281-789-4413

BILL OF LADING

SHIPPERS NO: **4933**

MASTER NO:

SEQ: **0**

CARRIER	CAR/TRAILER NBR	FREIGHT PAYMENT	DATE SHIPPED
CPU		Collect	
SHIP TO (080162-001)		SHIP FROM	
Alliance Alloys of Houma, LLC 855 A Blimp Rd. Houma, LA 70363		HyQuality Alloys 32703 Tamina Road Magnolia, TX 77354	
AGENT, PER _____			
DATE: _____		TIME: _____	
CUSTOMER SIGNATURE: 		DATE: 	



HYQUALITY
— ALLOYS —

32703 Tamina Road
Magnolia, TX 77354
P:346-703-2021
F:281-789-4413

PACKING LIST

4933

REV.
3

DATE SHIPPED

BILL OF LADING		CARRIER		CAR/TRAILER NBR		ARRIVAL DATE	
00004933		CPU					
FREIGHT PAYMENT		NET WEIGHT		TARE WEIGHT			
Collect		19092 Lbs					
RAIL ROUTING							
SHIP TO (080152-001)				SHIP FROM			
Alliance Alloys of Houma, LLC				HyQuality Alloys			
855 A Blimp Rd.				32703 Tamina Road			
Houma, LA 70363				Magnolia, TX 77354			

ITEM	PART NUMBER / DESCRIPTION					QUANTITY
	OUR ORDER	ORDER DATE	YOUR P.O.	P.O. DATE	FOB	
	005356	01/13/2021	101168	01/13/2021	Shipping Point	
001	17.000RHR4130NQT					14815 Lbs / 1
	17.000" RHR Forged Rough Turned 4130NQT x 225"					
	17.000" RHR Forged Rough Turned 4130NQT x 225"					
----- D E T A I L -----						
	TAG NBR	W.O. #	LOT NBR	QUANTITY UM	WEIGHT UM	
	447865	E64852		14815 Lbs	14815. Lbs	
	INVOICE BILL TO: Alliance Alloys of Houma, LLC					
	P.O. Box 667					
	Bourg, LA 70343					
002	9.0000RHR4130NQT					4277 Lbs / 1
	9.000" RHR Forged Rough Turned Rounds 4130NQT x 216"					
	9.000" RHR Forged Rough Turned Rounds 4130NQT x 216"					
----- D E T A I L -----						
	TAG NBR	W.O. #	LOT NBR	QUANTITY UM	WEIGHT UM	
	444644	7082		4277 Lbs	4277. Lbs	
	INVOICE BILL TO: Alliance Alloys of Houma, LLC					
	P.O. Box 667					
	Bourg, LA 70343					



HYQUALITY
— ALLOYS —

32703 Tamina Road
Magnolia, TX 77354
P:346-703-2021
F:281-789-4413

BILL OF LADING

SHIPPER'S NO: **4937**

MASTER NO:

SEQ: **0**

CARRIER CPU	CAR/TRAILER NBR	FREIGHT PAYMENT Collect	DATE SHIPPED
SHIP TO (000861-001) Five Star Metals, Inc. 8637 Windfern Houston, TX 77064		SHIP FROM HyQuality Alloys 32703 Tamina Road Magnolia, TX 77354	
#CTNS CONTAINER 2 ----- 2	ITEM DESCRIPTION 14.500" RHR Forged Rough - T O T A L S -	GROSS WGT UM 21512. Lbs ----- 21512. Lbs	
Original Mill Certs With Shipment Heat# 635549			
CUSTOMER P.O. NUMBERS 35095			
FREIGHT BILL TO Five Star Metals, Inc. 8637 Windfern Houston, TX 77064			
<p>RECEIVED, subject to the classifications and tariffs in effect on the date of the issue of this Bill of Lading, the property described below, in apparent good order, except as noted (contents and condition of contents of packages unknown, marked, consigned, and destined as indicated below which said carrier (the word carrier being understood throughout this contract as meaning any person or corporation in possession of the property under the contract) agrees to carry to its usual place of delivery at said destination, if on its route, otherwise to deliver to another carrier on the route to said destination. It is mutually agreed, as to each carrier of all or any of said property over all or any portion of said route to destination, and as to each party at any time interested in all or any of said property, that every service to be performed hereunder shall be subject to all the terms and conditions of the Uniform Domestic Straight Bill of Lading set forth in the Uniform Freight Classification in effect on the date hereof, if this is a rail or a rail-water shipment, or (2) in the applicable water carrier classification or tariff if this is a water carrier shipment. Shipper hereby certifies that he is familiar with all the terms and conditions of the said bill of lading, including those on the back thereof, set forth in the classification or tariff which governs the transportation of this shipment, and the said terms and conditions are hereby agreed to by the shipper and accepted for himself and his assigns. (Mail or street address of consignee - for purposes of notification only.)</p> <p>"THIS IS TO CERTIFY THAT THE MATERIALS HEREIN NAMED ARE PROPERLY CLASSIFIED, DESCRIBED, PACKAGED AND LABELED AND ARE IN PROPER CONDITION FOR TRANSPORTATION ACCORDING TO THE APPLICABLE REGULATIONS OF THE DEPARTMENT OF TRANSPORTATION."</p> <p>1-21-21</p> <p>SIGNATURE</p> <p>Mark "X" or "RC" if applicable to designate hazardous materials as defined in the Department of Transport Regulations governing the transportation of hazardous materials. The use of this column is an optional method for identifying hazardous materials on bills of lading per Section 172.201(a)(1)(ix) of Title 49 Code of Federal Regulations. Also, when shipping hazardous materials the shipper's certification statement prescribed in Section 172.204(a) of the Federal Regulations must be indicated on the bill of lading, unless specific exemption from this requirement is provided in the Regulations for a particular material.</p> <p>"SUBJECT TO SECTION 7 OF THE CONDITIONS OF APPLICABLE BILL OF LADING, IF THIS SHIPMENT IS TO BE DELIVERED TO THE CONSIGNEE WITHOUT RECOURSE TO THE CONSIGNOR, THE CONSIGNOR SHALL SIGN THE FOLLOWING STATEMENT.</p> <p>THE CARRIER SHALL NOT MAKE DELIVERY OF THIS SHIPMENT WITHOUT PAYMENT OF FREIGHT AND ALL OTHER LAWFUL CHARGES</p> <p>HYQUALITY ALLOYS LLC SIGNATURE OF CONSIGNOR</p> <p>MATERIAL ON THIS BILL OF LADING IS NOT TO BE RETURNED WITHOUT PRIOR AUTHORIZATION OF SHIPPER</p> <p>SPECIAL SHIPPING INSTRUCTIONS</p>			



HYQUALITY
— ALLOYS —

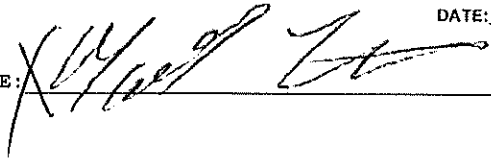
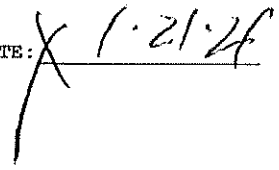
32703 Tamina Road
Magnolia, TX 77354
P:346-703-2021
F:281-789-4413

BILL OF LADING

SHIPPERS NO: **4937**

MASTER NO:

SEQ: **0**

CARRIER CPU	CAR/TRAILER NBR	FREIGHT PAYMENT Collect	DATE SHIPPED
SHIP TO (000861-001) Five Star Metals, Inc. 8637 Windfern Houston, TX 77064		SHIP FROM HyQuality Alloys 32703 Tamina Road Magnolia, TX 77354	
CUSTOMER SIGNATURE: 		AGENT, PER _____ DATE: _____ TIME: _____ DATE: 	



HYQUALITY
— ALLOYS —

32703 Tamina Road
Magnolia, TX 77354
P:346-703-2021
F:281-789-4413

PACKING LIST

4937

REV.
1

DATE SHIPPED

BILL OF LADING 00004937		CARRIER CPU	CAR/TRAILER NBR		ARRIVAL DATE
FREIGHT PAYMENT Collect		NET WEIGHT 21512 Lbs		TARE WEIGHT	
RAIL ROUTING					
SHIP TO (000861-001) Five Star Metals, Inc. 8637 Windfern Houston, TX 77064			SHIP FROM HyQuality Alloys 32703 Tamina Road Magnolia, TX 77354		

ITEM	PART NUMBER / DESCRIPTION					QUANTITY
	OUR ORDER	ORDER DATE	YOUR P.O.	P.O. DATE	FOB	
	005360	01/19/2021	35095	01/19/2021	Shipping Point	
001	14.500RHR4140QT 14.500" RHR Forged Rough Turned Rounds 4140QT x 18'3" 14.500" RHR Forged Rough Turned Rounds 4140QT x 18'3"					10542 Lbs / 1
----- D E T A I L -----						
	PAG NBR	W.O. #	LOT NBR	QUANTITY UM	WEIGHT UM	
	443883		635549	10542 Lbs	10542. Lbs	
	<u>INVOICE BILL TO:</u> Five Star Metals, Inc. 8637 Windfern Road P.O. Box 800460 Houston, TX 77280-0460					
002	14.500RHR4140QT 14.500" RHR Forged Rough Turned Rounds 4140QT x 18'11" 14.500" RHR Forged Rough Turned Rounds 4140QT x 18'11"					10970 Lbs / 1
----- D E T A I L -----						
	PAG NBR	W.O. #	LOT NBR	QUANTITY UM	WEIGHT UM	
	443902		635549	10970 Lbs	10970. Lbs	
	<u>INVOICE BILL TO:</u> Five Star Metals, Inc. 8637 Windfern Road P.O. Box 800460 Houston, TX 77280-0460					

From: Yasunori Ito
Sent: Friday, March 12, 2021 10:44 AM
To: Angela Graziano
Subject: FW: Request to check
Attachments: HQA PO Req HQA-5356.xlsx; HQA PO Req HQA-5360.xlsx

Hello Angela,

Can you send me wire information for attachment as soon as possible? Thank you!

With best regards.

Yasunori Itoh
SHINSHO AMERICAN CORPORATION

From: Yasunori Ito
Sent: Thursday, February 25, 2021 12:58 PM
To: Angela Graziano <agraziano@jwfggrp.com>
Subject: FW: Request to check

Hello Angela,

Can you reply to me? Thank you!

With best regards.

Yasunori Itoh
SHINSHO AMERICAN CORPORATION

From: Yasunori Ito
Sent: Monday, February 22, 2021 6:57 PM
To: Angela Graziano <agraziano@jwfggrp.com>
Subject: FW: Request to check

Hello Angela, I hope you are being fine.

Can you let me know your comment about the below? Thank you!

With best regards.

Yasunori Itoh
SHINSHO AMERICAN CORPORATION

From: Yasunori Ito
Sent: Friday, February 12, 2021 1:17 PM
To: Angela Graziano <agraziano@jwfggrp.com>
Subject: RE: Request to check

Angela,

Can you firstly send me wire information about 3 bars? 1 bar which we are discussing can be later.

I also revised coil information as attached, so also confirm if it's ok.

1. Shipment on 1/15

b) Bar # 561255 is your stock and will send details.

2. Shipment on 1/21

We confirmed 1 shipment from your yard on 1/21, can you confirm this bar is ours or yours? If it's ours, I believe I haven't receive anything yet so please give me PO, payment and shipping documents within today.

a) This was your shipment and will send details. Sorry, our fault. I was not able to review for shipping to make sure in advance.

Thank you!

With best regards.

Yasunori Itoh
SHINSHO AMERICAN CORPORATION

From: Angela Graziano <agraziano@jwfggrp.com>
Sent: Monday, February 1, 2021 12:56 PM
To: Yasunori Ito <yito@shinsho.com>
Subject: RE: Request to check

See attached for below responses

1. Shipment on 1/15

1 bar on 1/15 shows HQA ID and it could be ours. If so, we need PO/shipping documents/payment as soon as possible.

a) Researched show actually 1 bars shipped. Tag# 444644 Mill Tag 9689/1 4,277 lbs

We show this material was paid for on HQA PO 732381 via ACH on 10/17/2018 – Shinsho Invoice HQAA74-C - \$169,089.63 of Check Total ACH was \$178,708.34

Can you check on your end ? Sorry

b) Bar # 561255 is your stock and will send details

c) Other 2 bars on truck show ours.

2. Shipment on 1/21

We confirmed 1 shipment from your yard on 1/21, can you confirm this bar is ours or yours? If it's ours, I believe I haven't receive anything yet so please give me PO, payment and shipping documents within today.

- a) This was your shipment and will send details. Sorry, our fault. I was not able to review for shipping to make sure in advance.

Regards,

Angela Graziano
JWF Group, Inc.
agraziano@jvfgrp.com
Direct: 630-376-6605
Mobile: 630-589-9391 (preferred contact)

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From: Angela Graziano
Sent: Thursday, January 28, 2021 12:08 PM
To: Yasunori Ito <yito@shinsho.com>
Subject: RE: Request to check

Hello -

Sorry for the delay, not having such a great past couple of weeks due to the personal matter I previously mentioned.

1. Shipment on 1/15

- 1 bar on 1/15 shows HQA ID and it could be ours. If so, we need PO/shipping documents/payment as soon as possible.
 - a) Researched show actually 1 bars shipped. Tag# 444644 Mill Tag 9689/1 4,277 lbs
We show this material was paid for on HQA PO 732381 via ACH on 10/17/2018 – Shinsho Invoice HQAA74-C - \$169,089.63 of Check Total ACH was \$178,708.34
Can you check on your end ? Sorry
 - b) Bar # 561255 is your stock and will send details
 - c) Other 2 bars on truck show ours.

2. Shipment on 1/21

- We confirmed 1 shipment from your yard on 1/21, can you confirm this bar is ours or yours? If it's ours, I believe I haven't receive anything yet so please give me PO, payment and shipping documents within today.
- a) This was your shipment and will send details. Sorry, our fault. I was not able to review for shipping to make sure in advance.

3. Shipment on 1/25

- We confirmed 1 shipment from your yard on 1/25, can you confirm this bar is ours or yours? If it's ours, I believe I haven't receive anything yet so please give me PO, payment and shipping documents within today.
- a) This was our shipment

4. Shipment on 1/27

We confirmed 1 shipment from your yard on 1/27, can you confirm this bar is ours or yours? If it's ours, I believe I haven't receive anything yet so please give me PO, payment and shipping documents within today.

a) This was our shipment

5. Just an FYI – Had shipments go out today and this was our shipment.

Regards,

Angela Graziano
JWF Group, Inc.
agraziano@jwfgrp.com
Direct: 630-376-6605
Mobile: 630-589-9391 (preferred contact)

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From: Yasunori Ito <yito@shinsho.com>
Sent: Thursday, January 28, 2021 10:35 AM
To: Angela Graziano <agraziano@jwfgrp.com>
Subject: RE: Request to check

EXTERNAL SENDER: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Angela,

We also confirmed one shipment yesterday from your yard. Can you also check it?

1. Shipment on 1/15

1 bar on 1/15 shows HQA ID and it could be ours. If so, we need PO/shipping documents/payment as soon as possible.

2. Shipment on 1/21

We confirmed 1 shipment from your yard on 1/21, can you confirm this bar is ours or yours? If it's ours, I believe I haven't receive anything yet so please give me PO, payment and shipping documents within today.

3. Shipment on 1/25

We confirmed 1 shipment from your yard on 1/25, can you confirm this bar is ours or yours? If it's ours, I believe I haven't receive anything yet so please give me PO, payment and shipping documents within today.

4. Shipment on 1/27

We confirmed 1 shipment from your yard on 1/27, can you confirm this bar is ours or yours? If it's ours, I believe I haven't receive anything yet so please give me PO, payment and shipping documents within today.

With best regards.

Yasunori Itoh
SHINSHO AMERICAN CORPORATION

From: Yasunori Ito
Sent: Tuesday, January 26, 2021 9:39 AM
To: Angela Graziano <agraziano@jwfggrp.com>
Subject: RE: Request to check

Good morning Angela, I hope you are fine.

About the shipment from you so far, could you kindly check them below within today (asap)?

1. Shipment on 1/15

1 bar on 1/15 shows HQA ID and it could be ours. If so, we need PO/shipping documents/payment as soon as possible.

2. Shipment on 1/21

We confirmed 1 shipment from your yard on 1/21, can you confirm this bar is ours or yours? If it's ours, I believe I haven't receive anything yet so please give me PO, payment and shipping documents within today.

3. Shipment on 1/25

We confirmed 1 shipment from your yard on 1/25, can you confirm this bar is ours or yours? If it's ours, I believe I haven't receive anything yet so please give me PO, payment and shipping documents within today.

With best regards.

Yasunori Itoh
SHINSHO AMERICAN CORPORATION

From: Yasunori Ito
Sent: Friday, January 22, 2021 9:29 PM
To: Angela Graziano <agraziano@jwfggrp.com>
Subject: RE: Request to check

Angela,

I don't know what is happening to you now, but please kindly take care.

Ok, please check 1 bar on 1/15 and 1/21 shipment on next week as soon as you be back.

As you know, 1 bar on 1/15 shows HQA ID and it could be ours. If so, we need PO/shipping documents/payment as soon as possible.

Thank you very much.

With best regards.

Yasunori Itoh
SHINSHO AMERICAN CORPORATION

From: Angela Graziano <agraziano@jwfgrp.com>
Sent: Friday, January 22, 2021 12:30 PM
To: Yasunori Ito <yito@shinsho.com>
Subject: RE: Request to check

Hello ,

Sorry, I am still out with a very serious personal family matter until now Monday.

- 1) 1/15/21 –checked with plant & was from our stock – I am checking 1 tag later when I get back to my laptop – just to double check
- 2) 1/20/21 – checked with plant & was from our stock

Regards,

Angela Graziano
JWF Group, Inc.
agraziano@jwfgrp.com
Direct: 630-376-6605
Mobile: 630-589-9391 (preferred contact)

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From: Yasunori Ito <yito@shinsho.com>
Sent: Thursday, January 21, 2021 7:30 AM
To: Angela Graziano <agraziano@jwfgrp.com>
Subject: Re: Request to check

EXTERNAL SENDER: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Angela,

We confirmed 1 shipment from your yard this morning too, so please also check the shipment.

With best regards.

Yasunori Itoh
SHINSHO AMERICAN CORPORATION

From: Yasunori Ito
Sent: Thursday, January 21, 2021 9:38 AM
To: Angela Graziano <agraziano@jwfgroup.com>
Subject: Request to check

Good morning Angela,

As we talked before, I have some requests that we need to check so can you confirm them?

1. Shipment on 1/15

We confirmed 2 shipments from your yard on 1/15, can you confirm these bars are mine or yours? If they are mine, I believe I haven't receive anything yet so please give me PO, payment and shipping documents within today.

2. Shipment on 1/20

We confirmed 1 shipment from your yard on 1/20, can you confirm this bar is ours or yours? If it's ours, I believe I haven't receive anything yet so please give me PO, payment and shipping documents within today.

With best regards.

Yasunori Itoh
SHINSHO AMERICAN CORPORATION
26200 Town Center Drive,
Suite 220 Novi, MI 48375 USA

Cell: (+1) 248-907-3019
E-mail: yito@shinsho.com

HQA Purchase Requisition

Name: HyQuality Alloys
 Address: 32703 Tamina Road
 City, State: Magnolia, TX
 Zip Code: 77354

Date: 1/15/2021
 Vendor: Shinsho
 HQA Requisition #: HQA-5356
 HQA Requestor: Angela Graziano
 Date Required: 1/15/2021
 Payment Terms: NET: Wire/CIA

HQA Tag#	Mill Tag No.	Product Description	Length	Lot#	Mill	PO	lbs	Material Price/lb	Ext
447865	561255	17.000RHR4130NQT		EG4852	Vitkovice			14,815 \$	0.80 \$ 11,852.00
444644	H00000096891	9.000RHR4130NQT			7082 Sidenor			4,277 \$	0.79 \$ (3,378.83)

									\$ 11,852.00
								New 85% Due	\$ 10,074.20
Authorized:									
Approved:									
S.O. #:									
W.O. #:									

Form CCA-F000-08.23.11

Rev: 0

Date:

8/23/2019

Approved By:

Angela Graziano

HQA Purchase Requisition

Name:	HyQuality Alloys	Date:	1/21/2021
Address:	32703 Tamina Road	Vendor:	Shinsho
City, State	Magnolia, TX	HQA Requisition #:	HQA-5360
Zip Code:	77554	HQA Requestor:	Angela Graziano
		Date Required:	1/21/2021
		Payment Terms:	NET: Wire/CIA

HQA Tag#	Mill Tag No.	Product Description	Length	Lot#	Mill	PO	lbs	Material Price/lb	Ext
443883	1972044-01	14.500RHR4140QT		635549	Sidenor		10,542	\$ 0.78	\$ 8,222.76
443902	1972045-01	14.500RHR4140QT		635549	Sidenor		10,970	\$ 0.78	\$ 8,556.60

									\$ 16,779.36
								New 85% Due	\$ 14,262.46
Authorized:									
Approved:									
S.O. #:									
W.O. #:									

Form CCA-F000-08.23.11

Rev: 0

Date:

8/23/2019

Approved By:

Angela Graziano

EXHIBIT 2

**DECLARATION OF
YASUNORI ITO**

From: Yasunori Ito
Sent: Thursday, February 4, 2021 11:37 PM
To: Angela Graziano
Subject: Your shipment on 2/4

Hello Angela,

We confirmed your shipment on 2/4 from your yard. Can you confirm if this is your property or our property? Thank you!

With best regards.

Yasunori Itoh
SHINSHO AMERICAN CORPORATION
26200 Town Center Drive,
Suite 220 Novi, MI 48375 USA

Cell: (+1) 248-907-3019

E-mail: yito@shinsho.com

From: Yasunori Ito
Sent: Monday, March 1, 2021 4:32 PM
To: 'Angela Graziano'
Subject: RE: Today's shipment

Hi Angela,

We also confirmed your second shipment today. Please let me know who has the property. Thank you!

With best regards.

Yasunori Itoh
SHINSHO AMERICAN CORPORATION

From: Yasunori Ito
Sent: Monday, March 1, 2021 12:37 PM
To: Angela Graziano <agraziano@jwfggrp.com>
Subject: Today's shipment

Hello Angela,

We confirmed your shipment today, so please let us know if it's your property or ours. Thank you!

With best regards.

Yasunori Itoh
SHINSHO AMERICAN CORPORATION
26200 Town Center Drive,
Suite 220 Novi, MI 48375 USA

Cell: (+1) 248-907-3019
E-mail: yito@shinsho.com

From: Yasunori Ito
Sent: Friday, March 5, 2021 12:52 PM
To: Angela Graziano
Subject: RE: Today's shipment from your yard

Sorry again Angela,

We confirmed third shipment from you today. Please kindly let me know about the three shipments today.

Thank you!

With best regards.

Yasunori Itoh
SHINSHO AMERICAN CORPORATION

From: Yasunori Ito
Sent: Friday, March 5, 2021 12:25 PM
To: Angela Graziano <agraziano@jwfggrp.com>
Subject: RE: Today's shipment from your yard

Hi Angela,

We also confirmed one more truck today. Please let us know if the two truck is for your property or our property. Thank you!

With best regards.

Yasunori Itoh
SHINSHO AMERICAN CORPORATION

From: Yasunori Ito
Sent: Friday, March 5, 2021 12:04 PM
To: Angela Graziano <agraziano@jwfggrp.com>
Subject: Today's shipment from your yard

Hello Angela,

We confirmed 1 shipment from your yard, so can you let us know if it's yours or ours?

With best regards.

Yasunori Itoh
SHINSHO AMERICAN CORPORATION
26200 Town Center Drive,

From: Yasunori Ito
Sent: Tuesday, March 9, 2021 9:23 PM
To: Angela Graziano
Subject: RE: Shipment on 3/8

Sorry, I mean 3/8...

With best regards.

Yasunori Itoh
SHINSHO AMERICAN CORPORATION

From: Yasunori Ito
Sent: Tuesday, March 9, 2021 10:23 PM
To: Angela Graziano <agraziano@jwfgroup.com>
Subject: Shipment on 3/9

Good evening Angela,

We confirmed your shipment on 3/9 yesterday, so please let us know if the property is yours or ours. Thank you!

With best regards.

Yasunori Itoh
SHINSHO AMERICAN CORPORATION
26200 Town Center Drive,
Suite 220 Novi, MI 48375 USA

Cell: (+1) 248-907-3019
E-mail: yito@shinsho.com

From: Yasunori Ito
Sent: Thursday, March 11, 2021 9:20 AM
To: Angela Graziano
Subject: Your shipment on 3/10

Hello Angela,

We confirmed your shipment yesterday, so please let me know if the property is yours or ours. Thank you!

With best regards.

Yasunori Itoh
SHINSHO AMERICAN CORPORATION
26200 Town Center Drive,
Suite 220 Novi, MI 48375 USA

Cell: (+1) 248-907-3019

E-mail: yito@shinsho.com

From: Yasunori Ito
Sent: Thursday, March 11, 2021 4:46 PM
To: Angela Graziano
Subject: RE: Your shipment on 3/11

Hello Angela,

We confirm second shipment today, so please let me know if this is yours or ours. Thank you!

With best regards.

Yasunori Itoh
SHINSHO AMERICAN CORPORATION

From: Yasunori Ito
Sent: Thursday, March 11, 2021 1:23 PM
To: 'Angela Graziano' <agraziano@jwfgpr.com>
Subject: Your shipment on 3/11

Hello Angela,

We confirmed your shipment today, so please let me know if the property is yours or ours. Thank you!

With best regards.

Yasunori Itoh
SHINSHO AMERICAN CORPORATION
26200 Town Center Drive,
Suite 220 Novi, MI 48375 USA

Cell: (+1) 248-907-3019
E-mail: yito@shinsho.com
